



United States Department of Justice

United States Attorney's Office

Western District of Texas

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July 7, 2025

Via: First Class Mail and email

Scott Durfee
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scottdurfee@scottdurfee.com

William R. Turner
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Austin, Texas 78737
billturner1113@gmail.com
bill.turner@38thda.org

RE: Christina Mitchell v. United States Customs and Border Protection
Case No. 2:25-cv-00033-AM
USDC, W.D. Tex. (Del Rio Division)

Dear Messrs. Durfee and Turner,

On May 9, 2025, a complaint was filed in the above-styled case. Please be advised that you have not yet effected service on the United States. In order to effect proper service upon the United States, compliance with Rule 4(i) of the Federal Rules of Civil Procedure is required.

Specifically, Rule 4(i)(1) directs that service upon the United States or its agencies, officers, or employees shall be accomplished by (1) delivery of a copy of the summons and complaint to the United States Attorney for the district in which the action is brought (or upon an employee designated by the United States Attorney in writing filed with the Clerk of the Court in which the action is brought); or (2) by sending the summons and complaint, by registered or certified mail, addressed to the Civil Process Clerk at the U.S. Attorney's office; and by sending copies of the summons and complaint, by registered or certified mail, to the defendant agency and the Attorney General of the United States. Fed. R. Civ. P. 4(i)(1)(C). Mailing information for the Civil Process Clerk can be found on the District Court's website.¹

¹ See the Amended Designation of Agents for Service of Process, available at <https://www.txwd.uscourts.gov/wp-content/uploads/2023/07/Amended-Designation-of-Agents-for-Service-of-Process-1.pdf>.

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You have not properly served Defendant in the manner required by Rule 4. Additionally, please be advised that the United States is not among those individuals or entities specified by Rule 4(d)(1) to waive service. Defendant's answer period does not begin to run until all parties have been properly served in accordance with Rule 4.

Sincerely,

Justin R. Simmons
United States Attorney

By: /s/ Robert D. Green
Robert D. Green
Assistant United States Attorney

cc: District Clerk (via ECF)